

Anticipated Classification
of this Application:

Class _____ Subclass _____

Prior Application:

Examiner D. Sullivan

Group Art Unit 1636

Attorney's

Docket

No. 60388-AB-PCT-US

JPW/GJG/JBC

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

March 19, 2004

22581 U.S. PTO

10/804491

031904

S I R:

This is a request for filing a X CONTINUATION

 DIVISIONAL CONTINUATION-IN-PART application under

X 37 C.F.R. §1.53(b) 37 C.F.R. §1.53(d), of pending prior application

Serial No. 09/709,103 filed on November 8, 2000 of

Mary Cismowski and Emir Duzic

for

Inventor(s)

AGS PROTEINS AND NUCLEIC ACID MOLECULES AND USES THEREFOR

Title of Invention

1. Enclosed is a copy of the prior application, as originally filed and an affidavit or declaration verifying it as a true copy.
2. A verified statement to establish small entity status under 37 C.F.R. §1.9 and 1.27
 is enclosed.
 was filed in the prior application and such status is still proper and desired (37 C.F.R. §1.28(a)).
3. X The filing fee is calculated as follows:

CLAIMS AS FILED, LESS ANY CLAIMS CANCELLED BY AMENDMENT

	NUMBER FILED		NUMBER EXTRA*		RATE		FEE	
					SMALL ENTITY	OTHER ENTITY	SMALL ENTITY	OTHER ENTITY
Total Claims	39-20	=	19	X	9	18	= \$	\$ 342
Independent Claims	3-3	=	0	X	43	86	= \$	\$ 0
Multiple Dependent Claims Presented: <u> </u> Yes <u>X</u> No					145	290	= \$	\$ 0
					BASIC FEE		\$385	\$ 770
					TOTAL FEE		\$	\$1,112

*If the difference in Col. 1 is less than zero, enter "0" in Col. 2.

¹ Filing an application pursuant to this section expressly abandons the parent application.

Applicants: Mary Cismowski et al.
Serial No.: Not Yet Known
Filed : Herewith

Cont.Div.
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4. X The Commissioner is hereby authorized to charge payment of the following fees associated with this application or credit any overpayment to Deposit Account No. 03-3125.
- X Any additional filing fees required under 37 C.F.R. §1.16.
- X Any patent application processing fees under 37 C.F.R. §1.17.
- The issue fees set forth in 37 C.F.R. §1.18 at or before mailing of the Notice of Allowance, pursuant to 37 C.F.R. §1.311(b).
5. X Three copies of this sheet are enclosed.
6. X A check in the amount of \$ 1,112.00 is enclosed.
7. Cancel claims .
8. Amend the specification by inserting before the first line the sentence: --This is a continuation division of application Serial No. , filed .--
9. X 7 Sheet(s) of informal X formal drawing(s) is/are enclosed.
10. Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file.
11. Priority of application No. filed on in (country) is claimed under 37 U.S.C. §119.
- The certified copy of the priority application has been filed in prior application Serial No. , filed .
12. X The prior application is assigned of record to OSI Pharmaceuticals, Inc.
13. X A preliminary amendment is enclosed.
14. X The power of attorney in the prior application is to:

John P. White (Reg. No. 28,678); Christopher C. Dunham (Reg. No. 22,031); Norman H. Zivin (Reg. No. 25,385); Jay H. Maioli (Reg. No. 27,213); William E. Pelton (Reg. No. 25,702); Robert D. Katz (Reg. No. 30,141); Peter J. Phillips (Reg. No. 29,691); Wendy E. Miller (Reg. No. 35,615); Richard S. Milner (Reg. No. 33,970); Robert T. Maldonado (Reg. No. 38,232); Paul Teng (Reg. No. 40,837); Richard F. Jaworski (Reg. No. 33,515); Alan J. Morrison (Reg. No. 37,399); Mark A. Farley (Reg. No. 33,170); Pedro C. Fernandez (Reg. No. 41,741); and Gary J. Gershtik (Reg. No. 39,992)

Applicants: Mary Cismowski et al.
Serial No.: Not Yet Known
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- (a) _____ The power appears in the original papers in the prior application.
- (b) X Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- (c) X Address all future communications to:
(May only be completed by applicant, or attorney or agent of record.)

John P. White

Cooper & Dunham LLP

1185 Avenue of the Americas

New York, New York 10036

15. X Also enclosed Information Disclosure Statement, Form PTO 1449 and
Express Mail Certificate of Mailing No. EV 325 703 533 US, dated
March 19, 2004
16. _____ I hereby verify that the attached papers are a true copy
of prior application Serial No. _____ as originally
filed on _____.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statement and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

March 19, 2004

Date

Signature

Gary J. Gershik
John P. White, Reg. No. 28,678
Gary J. Gershik, Reg. No. 39,992

____ INVENTOR(S)
____ ASSIGNEE OF COMPLETE INTEREST
X ATTORNEY OR AGENT OF RECORD
____ FILED UNDER 37 C.F.R. §1.34(a)

Address of Signator:

Cooper & Dunham LLP

1185 Avenue of the Americas

New York, New York 10036

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Mary Cismowski and Emir Duzic
Serial No.: Not Yet Known
Filed : Herewith
Title : AGS PROTEINS AND NUCLEIC ACID MOLECULES AND USES
THEREFOR

1185 Avenue of the Americas
New York, New York 10036
March 19, 2004

MAIL STOP PATENT APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SIR:

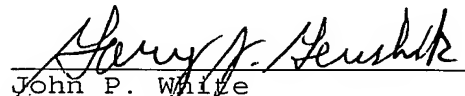
**EXPRESS MAIL CERTIFICATE OF MAILING
FOR ABOVE-IDENTIFIED APPLICATION**

- "Express Mail" mailing label number: EV 325 703 533 US
- Date of Deposit: March 19, 2004

I hereby certify that this paper or fee is being deposited to the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Printed Name: T. BCOA

Respectfully submitted,


John P. White
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Gary J. Gershik
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